



Mexico's Military Follow Their Own Rules in the 'Drug War'



Written by Jesus Perez Caballero Friday, 24 July 2015

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Cases like the Tlatlaya massacre have become emblematic of military abuse in Mexico

Several incidents in the last few weeks have raised additional doubts over how Mexico (<http://www.insightcrime.org/component/tags/tag/9-mexico>)'s soldiers are approaching the so-called "drug war." Not only are there questions over how appropriately the security forces react in confrontations with civilians, but the importance of the military itself in Mexico (<http://www.insightcrime.org/component/tags/tag/9-mexico>)'s democracy may yet come under scrutiny.

Recently, various members of the military (including a lieutenant colonel (<http://www.excelsior.com.mx/nacional/2015/07/20/1035739>)) were detained in Zacatecas, a key state in the drug trade, as it borders Durango and has a movement corridor connecting it to Jalisco (<http://www.excelsior.com.mx/2011/10/03/nacional/772117#imagen-1>). The military detainees are accused of the extrajudicial killing of seven people. Public pressure lead to an unusually speedy reaction, with the military itself acknowledging (<http://www.jornada.unam.mx/2015/07/20/politica/008n1pol>) that there are signs that a crime took place.

Meanwhile, in the conflicted state of Michoacan ([/news-analysis/new-criminal-players-in-mexico-embattled-michoacan-state](#)), several individuals have accused the military of killing a minor and another five people injured. This allegedly took place during the military's attempt to break up a road block in Ostula. Roads have become a symbolic battle site

(<https://www.quadratin.com.mx/regiones/Celebran-autodefensas-primer-aniversario-de-la-toma-de-Ostula/>) for the state's self-defense groups in their fight against the Knights Templar; in this case, the road block was spurred by the arrest of an indigenous leader for illegal weapons possession. Military commanders have denied (<http://www.eluniversal.com.mx/articulo/estados/2015/07/21/niega-ejercito-incursion-en-ostula-fue-grupo-armado>) that they opened fire on the crowd, and have blamed a group of armed civilians.

These examples follow what is widely known as the Tlatlaya massacre, in which the Mexican military illegally executed 22 people, according to affirmations (http://internacional.elpais.com/internacional/2015/07/12/actualidad/1436670176_597272.html) by the primary witness in the case. A report by human rights organization Prodh (http://www.wola.org/sites/default/files/MX/InformeTlatlaya_La%20orden%20fue%20abatir.pdf) suggests that sectors of the Mexican armed forces signed off on orders to execute those they dubbed criminals. To be sure, this case illustrates how Mexico (<http://www.insightcrime.org/component/tags/tag/9-mexico>) has moved beyond the simple militarization of the war against drug trafficking – a trend seen across the region and made especially evident in Mexico (</news-analysis/new-strategy-familiar-result-militarization-in-mexico>). What Mexico (<http://www.insightcrime.org/component/tags/tag/9-mexico>) is now seeing is soldiers creating -- and acting on -- their own manual for appropriate use of force.

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It's worth recalling the military has been deployed across the country in this way due to the shortcomings of the federal police (</news-analysis/federal-police-in-mexico-have-no-manual-for-use-of-force>). And there have been some calls from within the armed forces (mainly from General Salvador Cienfuegos (<http://archivo.eluniversal.com.mx/nacion-mexico/2015/exige-general-cienfuegos-justicia-en-caso-tlatlaya-1110642.html>), the Secretariat of National Defense) that the government do a better job supervising the military's "civilian" tasks. But in turn, the military has also presented itself as an actor that must follow its own rules -- rules that are too difficult for anyone else outside the military to supervise, given Mexico (<http://www.insightcrime.org/component/tags/tag/9-mexico>)'s opaque policies (<http://www.nexos.com.mx/?p=25468>) when it comes to use of violence.

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How was Mexico (<http://www.insightcrime.org/component/tags/tag/9-mexico>)'s military incentivized to follow a policy of excessive force (</news-briefs/excessive-force-mexico-one-year-tlatlaya-massacre>)? In some ways, every case is different. In Ostula, for example, the military's alleged disproportionate reaction may have something to do with the lingering conflict between self-defense groups and the Knights Templar (</investigations/mexico-michoacan-vigilantes>). And making the situation even more volatile are the civilians who refuse to disarm, given that organized crime still persists in the region.

In Zacatecas and Tlatlaya, it is more of a matter of determining whether there is something systematic behind the military's actions. This is a particularly worrying possibility. If you don't define such incidents of excessive force as either anomalies, or the result of military authorities not paying enough

attention, then you are left with something that could very well be described as a crime against humanity.

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In judicial terms (</news-analysis/international-criminal-court-mexico-drug-war>), it would be tough to pull together enough evidence showing that an international human rights crime took place. However, added together, all these incidents are enough to warrant serious questions whether these apparently unrelated incidents of excessive force have some kind of connection. In that sense, if human rights activists wanted to put a successful case together, they would have to look for districts where other military abuses took place -- murders, torture, and illegal detentions.

Those looking to prove systematic military abuse would not be able to rely on sample cases in which the exact role of the military was unclear. Such is the case with Ayotzinapa, in which 43 students disappeared, and involved an especially complex relationship between municipal institutions and criminal groups (</news-analysis/german-guns-mexico-5-levels-police-collusion>).

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However, we can more clearly see a systematic pattern of military abuse, when looking at what several human rights organizations denounced between 2006 to 2013 in the Baja California peninsula (</news-briefs/international-criminal-court-mexico-military-abuse>). The cases denounced in this region and Tlatlaya have a key thing in common: both involved security forces wanting to demonstrate progress in the fight against drug trafficking, via their use of violence. (It's a similar variable that has been observed in Colombia's "false positive" cases (</news-analysis/hrw-report-judicial-killings-colombia-false-positives>)). The Zacatecas incident could also fall within these parameters, given the profile of the victims there.

Going beyond the judicial question of proving whether there is systematic abuse taking place or not, the larger issue is what is the military's role in Mexico (<http://www.insightcrime.org/component/tags/tag/9-mexico>)'s democracy. Usually, this debate highlights that the military is something like the last option for civilians, given the incompetence of the federal police.

Nevertheless, we could take a different point of view. Mexico (<http://www.insightcrime.org/component/tags/tag/9-mexico>)'s military has become the autonomous, powerful institution it is today due to the lack of controls that the military itself exercises over its own security agenda. To be sure, the military command are not the ones who made the political decision to militarize the fight against drug trafficking. However, it is also clear the military has become the institution that sets the tone when it comes to Mexico (<http://www.insightcrime.org/component/tags/tag/9-mexico>)'s drug policy. And this has led to unexpected results -- such as the creation of certain incentives that end up weakening the state (<http://www.sinembargo.mx/06-07-2015/1401955>). There are some other obvious examples of this, including the debate over limiting human rights cases to military courts.

There is another larger challenge to be faced here. With such high impunity rates, Mexico (<http://www.insightcrime.org/component/tags/tag/9-mexico>) could be incapable to processing cases like Tlatlaya with the speed and scrutiny that victims deserve. This limitation could justify getting the International Criminal Court involved. Without institutions like Guatemala (<http://www.insightcrime.org/component/tags/tag/52-guatemala>)'s controversial (</news-analysis/even-with-mandate-renewed-cicig-will-not-save-guatemala>) United Nation anti-impunity commission, and without units that thoroughly investigate the most problematic cases of violence (as seen with Colombia's Attorney General's Office (<http://www.fiscalia.gov.co/colombia/priorizacion/unidad-nacional-de-analisis-y-contextos/>)), Mexico (<http://www.insightcrime.org/component/tags/tag/9-mexico>)'s institutions are not equipped to deal with cases that involve systematic violence.

Only a wider investigation would reveal whether there is truly evidence of abuses committed at a larger scale in Mexico (<http://www.insightcrime.org/component/tags/tag/9-mexico>). However, there is increasing evidence that within this unconventional conflict, the security forces will act as though they are pursuing a counter-insurgency campaign. And meanwhile, civilian powers -- regardless of their position within the government -- remain incapable of creating new paradigms to avoid the repetition of violence.

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